

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) |                     |
|                           | ) |                     |
| Plaintiff,                | ) | 8:95CR00004         |
|                           | ) |                     |
| vs.                       | ) | ORDER FOR DISMISSAL |
|                           | ) |                     |
| KEITH SMITH,              | ) |                     |
|                           | ) |                     |
| Defendants.               | ) |                     |

NOW ON THIS 4<sup>th</sup> day of February, 2009, this matter is before the Court on the United States' Motion for Dismissal (Filing No. 4). The Court, being duly advised in the premises, finds said Motion should be sustained.

IT IS HEREBY ORDERED:

1. Leave of Court is granted for the United States to dismiss, without prejudice, the Indictment filed herein as to the Defendant, Keith Smith.
2. The Indictment filed herein is hereby dismissed, without prejudice, as it pertains to the Defendant, Keith Smith.

BY THE COURT:

s/ Joseph F. Bataillon  
Judge, United States District Court